

REMARKS

Applicant has amended the above-identified application in response to the Office Action dated March 17, 2005 in the above-referenced application.

Applicant previously made a provisional election without traverse of the apparatus of claims 1-10. Affirmation of this election is reiterated by this written response.

The Examiner rejected remaining claims 1-10 of the application over the resealable bag disclosed in Strand, USPN 6,360,513. In relevant part, Strand teaches a reclosable bag in which at least one sheet of web material is provided in extending fashion from at least two areas of structural weakness and so that the overhead looped portion extends from side disposed fin structures.

A reclosable fastener structure is hidden within the interior defined by the tear-away looped sheet, extending past the areas of structural weakness and into the fold structure, and includes a traversable zipper. The fastener structure includes zipper skirts which extend from the fin structures projecting from inner facing surfaces thereof and so that the zipper and reclosable portions are hidden within the interior of the web material.

In contrast, the present invention as set forth in amended claim 1 further recites the looped header portion as extending integrally from the reclosable portions and along a selected distance corresponding to the top of the first and second sheets of plasticized material. The zipper is further clarified as being secured to the reclosable portions in proximity to the looped header portion, and such that traversing of the zipper along the reclosable portions causes detachment of the looped header portion.

Accordingly, the structure associated with the resealable bag structure differs from that disclosed in Strand, in that the cited reference does not teach the looped head portion as secured

to the reclosable portions along the connection traversed by the zipper; and it is further submitted that it is not taught or suggested to modify the structure of the Strand device in order to provide for tear-away disengagement of the looped header portion as a function solely of the traversing of the zipper. Rather, Strand requires the looped header portion to be first torn away from its weakened connections to the extending sides, and before the zipper is revealed.

For these reasons, it is submitted that the present application is allowable over the prior art of record and favorable action is respectfully requested. Attorney for Applicant may be contacted at (248) 647-6000 with any questions the Examiner may have.

Respectfully submitted,

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Judith T. Lange
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